

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
UNITED STATES OF AMERICA,

-against-

NESTOR RODRIGUEZ PAREDES,

Defendant.

Docket No.: 15 Cr. 874(CM)

-----X

SENTENCING MEMORANDUM

Frank Handelman, Esq.
Attorney for Defendant
NESTOR RODRIGUEZ PAREDES
BELDOCK LEVINE & HOFFMAN LLP
99 Park Avenue, 26th Floor
New York, New York 10016
(212) 277-5882

BELDOCK LEVINE & HOFFMAN LLP
99 PARK AVENUE, PH/26TH FLOOR
NEW YORK, N.Y. 10016-1601

CYNTHIA ROLLINGS
JONATHAN MOORE*▲
KAREN L. DIPPOLD
JONATHAN K. POLLACK
HENRY A. DLUGACZ
STEPHEN J. BLUMERT*◊
MARC A. CANNAN

TEL: (212) 490-0400
FAX: (212) 277-5880
WEBSITE: blhny.com

MYRON BELDOCK (1929-2016)
LAWRENCE S. LEVINE (1934-2004)
ELLIOT L. HOFFMAN (1929-2016)

ALSO ADMITTED IN:
*CALIFORNIA
▲ILLINOIS
◊NEW JERSEY

COUNSEL
BRUCE E. TRAUNER
PETER S. MATORIN
MARJORY D. FIELDS
JOSHUA S. MOSKOVITZ
EMILY JANE GOODMAN
(JUSTICE, NYS SUPREME COURT, RET.)
FRANK HANDELMAN

REF:

WRITER'S DIRECT DIAL:

May 17, 2017

BY ECF

Hon. Colleen McMahon
Chief Judge, United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: United States v. Nestor Rodriguez Paredes, et al, 15 Cr. 874 (CM)

Dear Chief Judge McMahon:

I am writing on behalf of my client Nestor Rodriguez Paredes, as an aid to the Court in his sentencing, which is now scheduled for May 24, 2017 at 3:00 pm. Mr. Paredes and I have met at the Metropolitan Detention Center ("MDC") and reviewed his presentence report; he has no objections or corrections and accepts the report as written.

I have now worked with Mr. Paredes since his arraignment in the Southern District in November 2015. I have found him to be a very thoughtful and reflective, now 68 year old man. From the outset and throughout my representation of Mr. Paredes, he has been consistently remorseful and respectful of the government and my office, and has demonstrated the utmost sincerity in dealing with his case. Considering Mr. Paredes's minor role in the instant offense, the fact that he has no prior criminal history, and his imminent deportation to Colombia, we request, pursuant to 18 U.S.C. § 3553(a), that the Court issue a sentence of time served.

Hon. Colleen McMahon
May 17, 2017
Page 2

Mr. Paredes's Background

As Mr. Paredes openly discussed during his presentence interview, his life has been filled with many hardships, specifically familial abandonment, difficult living conditions, and struggles to support his family. Mr. Paredes was born on March 23, 1949 in San Jorge, Colombia. (P.S.R. Page 7, ¶ 39). His mother abandoned Mr. Paredes and his father when he was two years old. (P.S.R. Page 7, ¶¶ 39-40). Mr. Paredes's father, a farmer and fisherman, struggled to provide him with basic essentials, such as food, clothing and education. (P.S.R. Page 7, ¶ 40). In fact, Mr. Paredes was not educated beyond the fifth grade because his father could not afford his school's tuition. (P.S.R. Page 10, ¶ 56).

When Mr. Paredes was 14 years old he moved in with his uncle in Tumaco, Colombia. (P.S.R. Page 8, ¶ 42). Approximately five years later he entered the Colombian Army and served a two-year term. (P.S.R. Page 8, ¶ 42). Following his service in the Army, Mr. Paredes lived in Cali, Columbia for two years before returning to his father's farm. (P.S.R. Page 8, ¶ 42).

Mr. Paredes began a relationship with Isabel Serrato, a Cali restaurant owner, in 1978. (P.S.R. Page 8, ¶ 43). Two years later, Ms. Serrato moved to Venezuela and began a relationship with another man. (P.S.R. Page 8, ¶ 43). The couple had a daughter together who currently resides in Venezuela. (P.S.R. Page 8, ¶ 43).

In 1985, Mr. Paredes began a relationship with Nora Varela. (P.S.R. Page 8, ¶ 44). They had four children together, all of whom currently reside in Colombia. (P.S.R. Page 8, ¶ 44). Approximately 12 years into their relationship, Mr. Paredes traveled to Ecuador in an attempt to reconnect with his mother. (P.S.R. Page 8, ¶ 45). He stayed there for approximately one year. (P.S.R. Page 8, ¶ 45). While Mr. Paredes was in Ecuador, Ms. Varela told him that she had begun a relationship with another man and that Mr. Paredes was not welcome back to their home. (P.S.R. Page 8, ¶ 45). Upon his return to Colombia, Mr. Paredes lived at his father's farm, which he inherited after his father passed away in 1986. (P.S.R. Page 8, ¶¶ 39, 45).

Mr. Paredes and his current wife, Carmen Elena Valencia, met in 1999. (P.S.R. Page 8, ¶ 46). One year later Ms. Valencia and her two children from a previous relationship moved onto Mr. Paredes's farm. (P.S.R. Page 8, ¶ 46). Mr. Paredes and Ms. Valencia subsequently had two children together. (P.S.R. Page 8, ¶ 46).

In 2011, Mr. Paredes and his family became victims of Colombia's drug war, when his home was lost. The Colombian guerillas threatened to kill Mr. Paredes if he did not leave the farm. (P.S.R. Page 8, ¶ 47). Fearful of his safety, Mr. Paredes and his family fled to Tumaco, Colombia, where they were homeless before moving into an abandoned residence. (P.S.R. Page 8, ¶ 47). The Colombia government had compensated the family \$600 annually, in two \$300 installments, for

Hon. Colleen McMahon
May 17, 2017
Page 3

their displacement. (P.S.R. Page 8, ¶ 47). The family continues to reside in the Tumaco house, however they have not received the government compensation since Mr. Paredes was arrested. (P.S.R. Page 8, ¶ 47).

Mr. Paredes has no prior criminal history and has held jobs throughout his life. He has worked off and on as a fisherman and farmer since he was approximately 14 years old. (P.S.R. Page 10, ¶ 57). He worked as guard at a textile company for approximately one year between 1976 and 1977. (P.S.R. Page 10, ¶ 59). From 2011 until his arrest for the instant offense, Mr. Paredes was a small boat fisherman operating out of Tumaco, Colombia. (P.S.R. Page 10, ¶ 58). He also served for two years in the Colombian army. (P.S.R. Page 8, ¶ 42).

Mr. Paredes's work history and lack of a prior criminal history is even more impressive when considering the environment in which he lives. In a letter written to the Court by one of Mr. Paredes's neighbors, their hometown of Tumaco is described as "one of the poorest areas of the country, with no industries, no job opportunities, no education, or health care for its inhabitants who experience a high level of violence. All forms of criminality converge in this area, which facilitates the recruiting, by hook or by crook, of defenseless and uneducated people...". (Salazar Letter). (My office received several letters from Mr. Paredes's family and friends. These letter were written in Spanish and I had them translated to English. For the convenience of the Court we have included both versions.).

Finally, Mr. Paredes is a 68 year old man who needs medical attention for two conditions: prostate issues and problems with his eyes. (P.S.R. Page 9, ¶¶ 49-50). Mr. Paredes's prostate issues are hereditary and were the cause of his father's death. (P.S.R. Page 7, ¶ 39). Mr. Paredes is receiving medication for his prostate issues. However, Mr. Paredes was told that the Bureau of Prisons ("BOP") cannot perform the procedure to address his optical condition. (P.S.R. Page 7, 12 ¶¶ 50, 78). As Mr. Paredes's presentence report notes, his age and physical conditions alone may warrant departure from his sentencing guidelines. (P.S.R. Page 12 ¶ 78).

Mr. Paredes's Imminent Deportation and Support Network in Colombia

Mr. Paredes lacks immigration status in the United States and will fully cooperate with Immigration and Customs Enforcement after serving his sentence so that he can return to his family as soon as possible. To show the level of support he has at home, we have attached several letters from family members and friends. These letters speak to the hardships that Mr. Paredes has faced, his character, and the love and support he provides his family.

Mr. Paredes's wife notes that he "is a good father and good husband because he [knows] how to raise his children so that they may be honest people in the future, and he always made sure that [the family] never lacked food." (Balanta Letter). Mr. Paredes daughter, Damaris, writes that

Hon. Colleen McMahon
May 17, 2017
Page 4

the family misses him and in his absence no one is able to support the family or pay for the children's education. (Valencia Letter). Specifically, Damaris notes that Mr. Paredes was the only person providing for the family and, in his absence, she has not been able to continue her education without her father's financial and emotional support. (Valencia Letter). In closing, Damaris writes "my only hope is [that] my dad . . . may return to Colombia to help us pull through." (Valencia Letter).

Mr. Paredes is also a beloved neighbor. As his wife notes "[o]ur neighbors always turned to my husband when things needed fixed in the neighborhood and he always helped them." (Balanta Letter). Indeed, a group of Mr. Paredes's neighbors signed a letter praising his character. Their letter notes that Mr. Paredes "always stood out for his very respectful relationship with all his neighbors, and above all he set a good example for others because he was an excellent husband and head of the family." (Castillo, et. al Letter). His neighbors closed their letter by saying "we all want [Mr. Paredes] back as soon as possible." (Castillo, et. al Letter).

Mr. Paredes's Post Arrest Adjustment and Sentencing

Prior to his incarceration, Mr. Paredes was his family's sole source of financial support. As such, he provided his family with essentials, including food and tuition for his children's education. As Mr. Paredes's daughter noted in her letter, as a result of her father's absence his children have not been able to continue their education because they cannot afford the tuition. (Valencia Letter).

Mr. Paredes had a particularly difficult post arrest adjustment. For one month after his arrest he was imprisoned on a Coast Guard cutter before arriving in New York in November 2015. Since his arraignment, Mr. Paredes has been detained at the Metropolitan Correctional Complex ("MCC") and MDC. To date, Mr. Paredes has spent 18 months at MCC and MDC, in the most difficult of detention circumstances. There are virtually no training or educational opportunities for detainees, and recreational facilities are severely limited. Whatever sentence Your Honor deems appropriate, we respectfully request consideration for the time he has served for the instant offense.

On November 16, 2016 Mr. Paredes entered a forthright, direct and informed plea to the sole count against him before the Honorable Gabriel W. Gorenstein, admitting his conduct in this case. As per the plea agreement dated November 1, 2016, Mr. Paredes's sentencing guidelines range is 87 to 108 months' imprisonment, based on an offense level of 29 and a criminal history category of I. The probation department's guidelines findings are the same as Mr. Paredes's plea agreement. The probation department noted Mr. Paredes's minor role in the instant offense and recommend that the Court depart from the sentencing guidelines and issue Mr. Paredes a 60 months' sentence. (P.S.R. Page 3 ¶ 3(c)).

Hon. Colleen McMahon
May 17, 2017
Page 5

This recommendation is certainly appreciated but based on Mr. Paredes's minor role in the instant offense, including the factors raised under 18 U.S.C. § 3553(a), I would request an even greater variance and believe that time served is an appropriate sentence. Mr. Paredes's is currently 68 years old, suffers from numerous health issues, and has been separated from his family for nearly a year and a half. Moreover, he played a minor role in the instant offense. As Your Honor is well aware, Mr. Paredes's sentence guidelines are determined by quantity of drugs involved in the conspiracy, a factor that is heavily inflated by the conduct of others, and not his personal culpability. *See United States v. Dossie*, 851 F.Supp.2d 478, 481 (E.D.N.Y. 2012) (noting “[d]rug quantity is a poor proxy for culpability generally and for a defendant's role in a drug business in particular.”). Further, even with a term of imprisonment on the low end of the guidelines, Mr. Paredes's sentence would be more appropriate for a person with a higher profile in the drug organization. *See United States v. Leitch*, 2013 U.S. Dist. LEXIS 27796 * 11 (E.D.N.Y. Feb. 28, 2013) (finding “many low-level drug trafficking defendants are receiving the harsh mandatory minimum sentences that Congress explicitly created for the leaders and managers of drug operations.”).

Writing about a defendant who, like Mr. Paredes, was facing a high sentencing range for a relatively minor role in a drug conspiracy, former Eastern District Judge John Gleason wrote about his dismay with sentencing guidelines: “[t]he flaw is simply stated: the Guidelines ranges for drug trafficking offenses are not based on empirical date, Commission expertise, or the actual culpability of defendants.” *United States v. Diaz*, 2013 U.S. Dist. LEXIS 11386 * 3 (E.D.N.Y. Jan. 28, 2013). Judge Gleason went on to note,

Right from the start Congress made a mistake. The severe sentences it mandated to punish specified *roles* in drug trafficking offenses were triggered not by role but by drug type and quantity instead . . . [A] low-level drug dealer or courier is easily replaceable and does little to advance the overall goals of the drug organization. He or she may be driven to crime by poverty or addition, problems that can be addressed without incarceration. He or she will be less likely to recidivate in the future; if a term of incarceration is imposed, a short prison sentence is just as likely to deter them from future offending as a long prison sentence.

Id. at 75-76 (emphasis in original) (internal punctuation omitted).

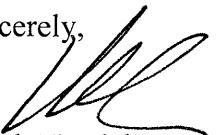
Mr. Paredes is the very type of individual Judge Gleason obviously had in mind in the above-referenced opinions. He had a minor role in the conspiracy, he does not have a prior criminal record, and, in the face of poverty, he was doing everything he could in order to provide for his family. Further, over the last 19 months, he has been separated from his family, resulting in a twofold punishment: as their primary provider Mr. Paredes's family has gone without life's bare essentials. Similarly, Mr. Paredes has been removed from his home country and forced to live in the difficult confinements of MCC and MDC without the benefit of a single family visit.

BELDOCK LEVINE & HOFFMAN LLP

Hon. Colleen McMahon
May 17, 2017
Page 6

Based on the above factors and pursuant to 18 U.S.C. § 3553(a), we respectfully request that the Court grant Mr. Paredes a sentence below the guidelines range and sentence him to a term of time served. Given the BOP's good time policy, this would be the equivalent of a sentence of close to two years.

Thank you for your kind consideration.

Sincerely,

Frank Handelman

Attachments

cc: AUSA Amanda Houle
USPO Michael Fisher

LETTER FROM CARMEN ELENA VALENCIA BALANTA (WIFE)

Tumaco, February 2, 2017

Honorable Judge Collen McMahon

Re: Mr. Néstor Rodríguez Paredes

Dear Judge:

I am Carmen Elena Valencia Balanta, bearer of ID number [REDACTED] of Tumaco, and I am Mr. Néstor Rodríguez Paredes' wife. He is currently incarcerated at the Brooklyn prison.

My husband Néstor Rodríguez Paredes is a very hard working man that has always made sure that our family lacked nothing.

My husband, since he was very young, has gone through many difficulties. He lived alone with his father because his mother had abandoned him, and his father died when he was 14 years old. He has had to survive life all alone. Many times if he had breakfast he could not afford lunch because he didn't earn enough as a fisherman.

Néstor has had only fifth grade education, he wasn't able to continue studying because he was all alone in life and he started working in artisanal fishing in the town where he was born, named San Antonio Las Varas.

Later he sought out new opportunities in Cali, Valle del Cauca, where he had to start from scratch all by himself as always. He got a job in a bronze factory and in a mattress factory. Then he went back to fishing in Tumaco, Nariño.

Although my husband didn't continue his education, I take the liberty of saying that he is a very well-rounded person, with very sound values. He is generous and whenever he returned from fishing he would always give fish to all his neighbors.

He is a good father and a good husband because he knew how to raise his children so that they may be honest people in the future, and he always made sure that we never lacked food.

Our neighbors always turned to my husband when things needed to be fixed in the neighborhood and he always helped them.

Now that he is not with us, I miss him a lot. I need his help to pull through, it has been very hard for me because in Tumaco there are no sources of work.

I sell ice to the soldiers of the military battalion which is located across the street from our house and I wash other people's clothes, but I hardly make enough for food; sometimes if we have breakfast we cannot afford lunch.

My husband is a very hard working man and in spite of his age he makes a living by fishing to support us. He is greatly missed at home.

This is why I beg you Honorable Collen McMahon to be merciful with my husband Néstor Rodriguez Paredes so he may be released soon because we need him a lot.

This is my telephone number: [REDACTED] in the event that you need further information about my husband.

Thank you for your attention.

Sincerely,

(Signed) *Carmen Valencia*
Carmen Elena Valencia Balanta
ID [REDACTED] of Tumaco

Tumaco 02 de febrero del 2017

Señora Jueza
HON COLLEN MCMAHON
Respetada Señora Juez.
E. S. D.

Ref: Concepto del señor Néstor Rodríguez Paredes

Soy CARMEN ELENA VALENCIA BALANTA. Identificada con la cedula de ciudadanía número [REDACTED] de Tumaco, esposa del señor Néstor Rodríguez Paredes, y en estos momentos recluido en la prisión de Brooklyn.

Mi esposo Néstor Rodríguez Paredes, es un señor muy trabajador que siempre se ha preocupado porque a su familia no le falte nada.

Mi esposo desde pequeño ha pasado mucho dificultades, él vivió solo con el papá porque la mama lo había abandonado, el papá de él murió desde que él tenía 14 años. Le ha tocado sobrevivir a la vida sola. Muchas veces si desayunaba no almorzaba porque la pesca no le daba para más.

Néstor estudió hasta el grado quinto de primaria no siguió estudiando más porque estaba solo en la vida y se puso a trabajar en la pesca artesanal, en el pueblo donde él nació. Llamado San Antonio las Varas.

Luego se fue a buscar nuevas oportunidades a la ciudad de Cali Valle del Cauca, donde le tocó empezar solo como siempre. Buscó trabajo en una fábrica de bronce y de colchones. Luego siguió trabajando en la pesca en Tumaco – Nariño.

A pesar que mi esposo no continuó sus estudios en estos momentos me permitió decir que es un ser humano muy bien formado con valores muy claros, es generoso porque siempre que llegaba de pescar les regalaba pescado a todos los vecinos.

Es buen padre y buen esposo ya que supo educar a sus hijos para que el día de mañana sean personas de bien. Y se preocupa porque a nosotras no nos falte la alimentación.

Mi esposo siempre que lo buscaban los vecinos para arreglar cualquier cosa en el barrio siempre les colaboraba.

Y ahora que él no se encuentra con nosotras me hace falta para que me ayude a salir adelante porque a mí me toca muy duro. Ya que en Tumaco no hay fuente de trabajo.

Yo vendo hielos a los soldados del batallón militar que está ubicado al frente de nuestra vivienda, lavo ropa ajena, pero esto solo me ayuda para medio comer, a veces si alcanza para desayunar no almorzamos...

Mi esposo es muy trabajador a pesar de su edad se gana la vida pescando para darnos el sustento y en estos momentos es muy requerido en el hogar.

Por eso le pido a usted su Señoría HON COLLEN MCMAHON. Que tenga clemencia de mi esposo Néstor Rodríguez Paredes, para que pueda salir pronto. Porque lo necesitamos mucho.

Este es mi número telefónico [REDACTED] por si necesita saber algo más acerca de mi esposo.

No siendo más me despido gracias por su atención.

Cordialmente

carmen valencia

CARMEN ELENA VALENCIA BALANTA

CC: [REDACTED] de Tumaco.

REPUBLICA DE COLOMBIA
IDENTIFICACION PERSONAL
CEDULA DE CIUDADANIA

NUMERO
[REDACTED]

VALENCIA BALANTA

APELLIDOS

CARMEN HELENA

NOMBRES

Carmen Helena Valencia

FIRMA



FECHA DE NACIMIENTO
[REDACTED]

TUMACO

(NARIÑO)

LUGAR DE NACIMIENTO

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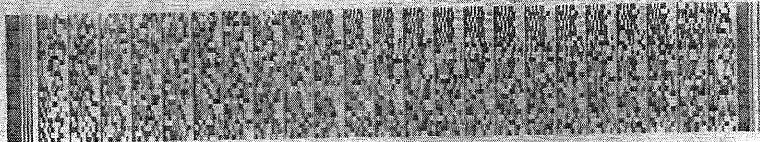
TUMACO

FECHA Y LUGAR DE EXPEDICION

INDICE DERECHO

REGISTRADOR NACIONAL

CARLOS ARIEL SÁNCHEZ TORRES



**LETTER FROM DAMARIS
RODRIGUEZ VALENCIA
(DAUGHTER)**

Tumaco, February 2, 2017

Honorable Judge Collen McMahon

Re: Mr. Néstor Rodríguez Paredes

Dear Judge:

I am Damaris Rodríguez Valencia, bearer of ID number [REDACTED] of Tumaco, and I am Mr. Néstor Rodríguez Paredes' daughter. He is currently incarcerated at the Brooklyn prison.

My siblings, my mother Carmen Helena Valencia Balanta, and I miss my dad Néstor Rodríguez Paredes a lot because it was he who worked in artisanal fishing to be able to support us and pay for my education and that of my siblings.

We are a displaced family and we don't count on resources to survive, and he was the only support of the family. I graduated from high school in 2015; it has been one year since graduation and I have not been able to continue with my education because the person that could help me pull through, my father, Néstor Rodríguez Paredes, is not here.

In spite of his advanced age and all the things he has gone through, he has always given the best of himself to fishing because he didn't have any other source of work in Tumaco.

My family felt sad for my father because he was working so hard in his old age, either as a fisherman or sometimes as a construction worker and security guard.

When he was fishing for a week on the high seas many times unpleasant things happened to him. There were times when he was robbed of his little catch, and having run the risk of being killed he would get back to land with empty hands and quite sick.

We all felt very sad because he was not doing well with fishing, he would return home with nothing and couldn't put food on the table.

I am praying to God so my father may come back soon. I don't know what to do, I want to prepare for the future but without dad's help it will not be possible because without his support, we are doing badly.

My mother Carmen Helena Valencia Balanta is an elderly woman and for her to find a job is not easy. My mother sometimes washes and irons other people's clothes, and she sells ice to the soldiers of the military battalion that is located across the street from our house but she hardly makes enough for food. Therefore my only hope is my dad, that things may go well for him and he may return to Colombia to help us pull through.

This is why I beg you, Your Honor, to show my father Néstor Rodríguez Paredes mercy because we need him at home.

This is my telephone number: [REDACTED] in the event that you need further information about my father.

Thank you for your attention.

Sincerely,

(Signed) *Damaris Rodríguez Valencia*
Damaris Rodríguez Valencia
ID [REDACTED] of Tumaco

Tumaco 02 de febrero del 2017

Señora jueza

HON COLLEN MCMAHON

Respetada señora jueza.

E. S. D.

Ref: Concepto del señor Néstor Rodríguez Paredes

Soy DAMARIS RODRIGUEZ VALENCIA Identificada con la T.I Numero [REDACTED] de Tumaco Hija del señor Néstor Rodríguez Paredes, y en estos momentos recluido en la prisión de Brooklyn.

Mi papa Néstor Rodríguez Paredes nos hace mucha falta. A mis hermanos y a mi madre Carmen helena valencia balanta ya que Néstor Rodríguez Paredes, mi padre era el que trabajaba en la pesca artesanal, para poder darnos el sustento y la educación a mí y a mis hermanos.

Ya que somos una familia desplazada, y no tenemos más recursos para sobrevivir, él era nuestro único apoyo en la casa. Yo me gradué de bachillerato en el año 2015. Ya cumplí un año de a verme graduado de bachillerato y hasta ahora no he podido continuar mis estudio.

Porque la persona que me podía ayudar a salir adelante no se encuentra el cual es mi padre Néstor Rodríguez Paredes, que a pesar de ser un señor de edad muy avanzada que ha pasado mucho trabajo ha dado siempre todo lo mejor de el en la pesca para sobrevivir. Ya que no tenía otra fuente de trabajo en Tumaco.

A mi familia le daba mucha pena de mi padre porque con tanta edad trabajaba muy fuerte en la pesca. Y otras veces como ayudante de construcción y vigilancia.

Cuando se iba a pescar por una semana a alta mar muchas veces le sucedía cosas desagradables, a veces lo atracaban le quitaban lo poquito que habían pescado y expuesto a que lo mataran, llegaba a tierra si nada y enfermo.

Nosotras nos sentíamos muy triste porque le iba mal en la pesca y llegaba sin nada para la comida.

Yo rogándole a dios que mi padre muy pronto venga, porque no sé qué ser quiero prepararme para un futuro pero sin papa que me ayude no sería posible. Ya que sin el apoyo del estamos mal.

Mi mama Carmen Helena Valencia Balanta. Ya es una señora mayor que no consigue trabajo fácilmente mi mama a veces lava y plancha ropa ajena, Vende hielos a los soldados del batallón militar que está ubicado al frente de nuestra vivienda.

Pero eso solo nos ayuda para medio comer, y por lo tanto la única esperanza que yo tengo es en mi papa. Que me le vaya bien y pueda regresar a Colombia para ayudarnos a salir a delante.

Por eso le pido a usted su señoría HON COLLEN MCMAHON que tenga clemencia de mi padre Néstor Rodríguez Paredes ya que es requerido en nuestro hogar.

Este es mi número telefónico [REDACTED] por si necesita saber algo más acerca de mi padre.

No siendo más me despido gracias por su atención.

Cordialmente

Damaris Rodriguez Valencia.

DAMARIS RODRIGUEZ VALENCIA

T.I [REDACTED] de Tumaco.



LETTER FROM HERNANDO ARCOS SALAZAR (NEIGHBOR)

Tumaco, January 27, 2017

Honorable Judge Collen McMahon

Re: Mr. Néstor Rodríguez Paredes

Dear Judge:

I am Hernando Arcos Salazar, of legal age, domiciled at [REDACTED] La Florida , Tumaco, bearer or ID number [REDACTED] of Tumaco. At the request of Mr. Néstor Rodríguez Paredes, I take the liberty of telling you my opinion of him.

Mr. Néstor Rodríguez Paredes lives in a house in La Florida, which is a Tumaco neighborhood. When my family and I moved into this neighborhood in June 2002, Mr. Néstor Rodríguez Paredes and his family were already living there ([REDACTED], La Florida); they lived six or seven doors down from us.

The houses in La Florida are modest public housing from the national government's social programs. They are made of wood, are over 30 years old, and many of them in ruins. Some people, according to their means, have been able to fix them up bit by bit.

By the way, the island of Tumaco, where we live, is located on the southwestern corner of Colombia. It is one of the poorest areas of the country, with no industries, no job opportunities, no education, or health care for its inhabitants who experience a high level of violence. All forms of criminality converge in this area, which facilitates the recruiting, by hook or by crook, of defenseless and uneducated people, and there is a high rate of prostitution also. Forced displacement is very frequent and that violence has caused the island of Tumaco to go from having thirty or forty thousand inhabitants about twenty years ago, to almost two hundred and fifty thousand people today.

Most of the time, Mr. Rodríguez Paredes has worked in artisanal fishing, which is a tough activity. Several men go out to fish in a small boat and they stay on the high seas for several days, always under an inclement sun and temperatures above 36 degrees, without having any shade and running the risk of sinking, a common occurrence. Mr. Rodríguez Paredes would sometimes give us some fish, the fruit of his labor, which shows that he is a generous man. I know that Mr. Néstor Rodríguez occasionally did odd jobs like construction work and security guard.

Since I have known him, Mr. Néstor Rodríguez Paredes has been a very affable person, and he has a good relationship with his neighbors. If you run into him ten times in a day, every time he would greet you very respectfully. His daughter Damaris is a close friend of my daughter Luz Marina and she has been coming to our house since she was six or seven years old (my daughter also goes to her house); they have been raised together to this day.

Néstor Rodríguez Paredes' wife, Mrs. Carmen, is a very helpful person. She is a housewife and to help the family's meager income she washes and irons other people's clothes, and sells bags of ice from her refrigerator to the soldiers from a military battalion that is located in front of our houses.

I was very surprised by what has happened to Mr. Néstor, because, I repeat, since I met him I have always seen him working as a fisherman and doing odd jobs. Their economical situation is very precarious and in this neighborhood, we always help one another.

This is a rough outline of what I can say about Mr. Néstor Rodríguez Paredes, from what I know of him as a neighbor. I hope to God that things work out for him because I am fully aware that he is a victim of the circumstances in which we live in this very difficult area.

Sincerely,

(Illegible signature)
Hernando Arcos Salazar
ID N° [REDACTED] of Tumaco

Tumaco 27 de Enero de 2017

Señora Jueza
HON COLLEN MCMAHON
E. S. D.

Ref: Concepto sobre el señor Néstor Rodriguez Paredes

Respetada señora Juez:

Soy HERNANDO ARCOS SALAZAR, mayor de edad y domiciliado en Tumaco (Barrio la Florida [REDACTED]), identificado con cedula de ciudadanía número [REDACTED] de Tumaco, a solicitud de la familia del señor Néstor Rodríguez Paredes, de manera comedida me permite dar el siguiente concepto sobre él.

El señor Néstor Rodríguez Paredes vive en una casa del Barrio La Florida, de esta ciudad. Mi familia y yo llegamos a vivir a este barrio en junio de 2002 y el señor Nestor Rodríguez Paredes ya vivía aquí con su familia (Barrio La Florida, [REDACTED]) separados de nuestro hogar por seis o siete casas en la misma línea de calle.

Las casas del barrio La Florida son modestas viviendas populares de programas sociales del gobierno nacional hechas en madera, que a la fecha tienen mas de treinta años y muchas de ellas amenazan ruina. Algunos, en la medida de sus capacidades económicas, las han ido mejorando poco a poco.

Dicho sea de paso, la isla de Tumaco donde vivimos, está situada en el sur de Colombia y es una de las zonas mas pobres del país, sin industrias, sin oportunidades de trabajo ni de educación o salud para sus habitantes, que sufren un alto índice alto de violencia, pues en el área se dan citas todas las formas de delincuencia, que facilitan el reclutamiento a las buenas o a las malas de gentes inermes y sin profesión del área y hay un alto índice de prostitución. Son comunes los desplazamientos forzados. Esa violencia ha hecho que la isla de Tumaco pasara de tener entre treinta y cuarenta mil habitantes hace unos veinte años, a tener una población de casi doscientos cincuenta mil personas actualmente.

La mayor parte de su tiempo el señor Rodríguez Paredes se ha dedicado a la pesca artesanal, que es una actividad dura, pues son varios hombres que salen a su faena en una pequeña canoa bastante de madrugada, pasan mar afuera varios días, siempre bajo un sol inclemente que pasa de 36 grados, sin posibilidad de estar a la sombra y corriendo el riesgo de naufragar, cosa comun. Algunas veces el señor Rodríguez Paredes nos regalaba algún pescado, fruto de su labor, que demuestra que es un hombre generoso. Sé que a veces el señor Néstor Rodríguez se dedicaba a otras labores u oficios modestos, como ayudante de construcción y vigilancia.

Desde que lo conozco, el señor Néstor Rodríguez Paredes me ha parecido una persona muy afable y mantiene muy buenas relaciones con sus vecinos. Si uno se lo encuentra diez veces al día, todas las veces saluda muy respetuosamente. Su hija Damaris es una gran amiga de mi hija Luz Marina y viene a menudo a la casa desde que tenía seis o siete años (mi hija también va a la de ella), se han criado juntas, hasta ahora que son jóvenes.

La esposa de don Nestor Rodríguez Paredes, doña Carmen es una persona servicial, que se dedica a los oficios domésticos y para ayudar a la modesta economía familiar lava

y plancha ropa ajena, vende bolsas de hielo de su nevera a soldados de un batallón militar que está ubicado al frente de nuestras casas.

Me ha sorprendido lo que le ha ocurrido a don Néstor, pues, reitero, desde que lo conocí siempre lo vi laborando como pescador y oficios modestos, pues son de economía muy precaria y en este barrio, siempre nos colaboramos entre todos.

Esto es lo que a grandes rasgos puedo decir del señor Néstor Rodríguez Paredes por el conocimiento que de él tengo como vecino. Dios quiera que las cosas le salgan bien, porque puedo decir con conocimiento de causa que es víctima de las circunstancias en que nos ha tocado vivir en esta zona tan difícil.

Cordialmente,


HERNANDO ARCOS SALAZAR
CC N° [REDACTED] de Tumaco

REPUBLICA DE COLOMBIA
IDENTIFICACION PERSONAL
CEDULA DE CIUDADANIA

NUMERO [REDACTED]

ARCOS SALAZAR

APELLIDOS

HERNANDO JESUS

NOMBRES



FECHA DE NACIMIENTO [REDACTED]

PASTO
(NARIÑO)
LUGAR DE NACIMIENTO

1.68
ESTATURA

O+
G.S. RH

M
SEXO

INDICE DERECHO

FECHA Y LUGAR DE EXPEDICION [REDACTED]

Carlos Ariel Sanchez Torres
REGISTRADOR NACIONAL
CARLOS ARIEL SANCHEZ TORRES



**LETTER FROM FRANKLIN
CUERO CASTILLO, MARILYN
COLARADO LANDAZURY,
SHIRLEY COLORADO
LANDAZURY, SOCORRO DE
JESUS LANDAZURY, and LINDA
BRIGIGH COLORADO
(NEIGHBORS)**

San Andrés de Tumaco, February 2, 2017

Honorable Judge Collen McMahon

Greetings.

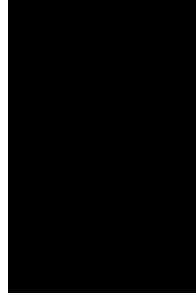
The undersigned, the Cuero Colorado family and the Colorado Landazury family, residents of La Florida, Tumaco (Nariño – Colombia) certify that we have known Mr. Néstor Rodríguez Paredes for more than twenty years.

He is a citizen, a neighbor and a friend, one who has stood out for his good qualities and aptitudes, both physical and mental, as well as his strong desire for self-improvement.

We have always known him as a humble man who worked as a fisherman to support his family. He is an excellent neighbor, with whom we have shared in many festivities and special occasions. He always stood out for his very respectful relationship with all his neighbors, and above all he set a good example for others because he was an excellent husband and head of the family.

For all of the above, we respectfully ask for his prompt release so he may return to his family, taking into account that he is a person that is over sixty years old, and that we all want him back as soon as possible.

Sincerely,

First and Last Name	Document	Signature
FRANKLYN CUERO CASTILLO		(Illegible)
MARILYN COLORADO LANDAZURY		<i>Marilyn K. Colorado</i>
SHIRLEY COLORADO LANDAZURY		<i>Shirley Colorado</i>
SOCORRO DE JESUS LANDAZURY		<i>Socorro</i> (Illegible)
LINDA BRIGITH COLORADO		(Illegible)

San Andrés de Tumaco 2-febrero-2017

Honorable Jueza
HON COLLEN MCMAHON

Cordial saludo.

Los abajo firmantes, familia Cuero colorado y familia Colorado Landazury residentes en el barrio "la Florida", de Tumaco (Nariño- Colombia), damos fe y testimonio que conocemos hace más de 20 años al señor: Néstor Rodríguez Paredes quien es un ciudadano, vecino y amigo que se ha destacado por sus buenas cualidades y aptitudes tanto físicas como mentales así como su alto espíritu de superación.

Desde siempre le hemos conocido como un hombre humilde, dedicado al oficio de pescador, con lo cual sostenía a su familia económicamente, un excelente vecino con quien compartimos muchas festividades y fechas especiales, siempre se destacó por su trato muy respetuoso ante todo el vecindario, y sobre todo dio ejemplo de ser un excelente esposo y padre de familia.

Por lo anteriormente expuesto, de manera comedida, nos permitimos solicitar su pronta liberación y vuelta al seno de su familia teniendo en cuenta que es una persona mayor de sesenta años y todos lo queremos de vuelta muy pronto.

Atentamente,

NOMBRE Y APELLIDOS	DOCUMENTOS
FRANKLIN CUERO CASTILLO	[REDACTED]
MARILYN COLORADO LANDAZURY	
SHIRLEY COLORADO LANDAZURY	
SOCORRO DE JESUS LANDAZURY	
LINDA BRIGITH COLORADO	



FIRMAS

